

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Ann H. Kobayashi, Chair; Joey Manahan, Vice Chair;
Carol Fukunaga, Trevor Ozawa, Kymberly Marcos Pine

Committee Meeting Held
April 1, 2015

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Budget, which considered Bill 11 (2015) entitled:

"A BILL FOR AN ORDINANCE RELATING TO ADVERTISING IN CITY PARKS,"

which passed first reading at the March 11, 2015 Council meeting, reports as follows:

The purpose of the Bill is to allow limited advertising in City parks.

The Director of the Department of Parks and Recreation testified in general support of the Bill, but indicated that she would like Kapiolani Park exempted from the list of parks.

Your Committee received testimony from no individuals in support, four individuals in opposition, and one individual offering comments on the Bill.

Testimony was also received from the following institutions, organizations, and governmental agencies:

- Kapiolani Park Preservation Society (oppose)

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON APR 22 2015

COMMITTEE REPORT NO. 107

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Ann H. Kobayashi, Chair; Joey Manahan, Vice Chair;
Carol Fukunaga, Trevor Ozawa, Kymberly Marcos Pine

Committee Meeting Held
April 1, 2015
Page 2

After consideration and discussion, your Committee has prepared a CD1 version of the Bill that makes the following amendments:

1. Amends Bill 11 (2015) by specifying that no advertising shall be allowed at Kapiolani Regional Park pursuant to the new section.
2. Makes technical and non-substantive changes.

Your Committee on Budget is in accord with the intent and purpose of Bill 11 (2015), as amended herein, and recommends that it pass second reading, be scheduled for public hearing, and be referred back to the Committee on Budget in the form attached hereto as Bill 11 (2015), CD1. (Ayes: Kobayashi, Fukunaga, Manahan, Ozawa – 4; Noes: None; Excused: Pine - 1.)

Respectfully submitted,


Committee Chair

RECEIVED
CLERK
APR 2 2 2015

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON APR 2 2 2015

COMMITTEE REPORT NO. 107



A BILL FOR AN ORDINANCE

RELATING TO ADVERTISING IN CITY PARKS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to allow limited advertising in City parks.

SECTION 2. Section 10-1.2, Revised Ordinances of Honolulu 1990, as amended ("Park rules and regulations"), is amended by amending subsection (a) to read as follows:

"(a) Within the limits of any public park, it is unlawful for any person to:

- (1) Willfully or intentionally destroy, damage or injure any property;
- (2) Climb onto any tree, except those designated for climbing, or to climb onto any wall, fence, shelter, building, statue, monument or other structure, excluding play apparatus;
- (3) Swim, bathe, wade in or pollute the water of any ornamental pool or fountain;
- (4) Kindle, build, maintain or use any fire, other than in a grill or brazier;
- (5) Annoy, molest, kill, wound, chase, shoot or throw missiles at any animal or bird;
- (6) Distribute, post or place any commercial handbill or circular, notice or other advertising device or matter, except as permitted by the terms of any agreement relating to the use of park property or by Section 10-1. ;
- (7) Use any surfboard or devices or materials with jagged or rough ends and edges, which are dangerous to surfers, swimmers or bathers;
- (8) Construct or fabricate surfboards;
- (9) Permit any animal to enter and remain within the confines of any public park area except as otherwise provided in this article;
- (10) Feed any animal or bird when signs are posted prohibiting such feeding;



A BILL FOR AN ORDINANCE

- (11) Wash, polish or repair cars or other vehicles;
- (12) Enter or remain in any public park during the night hours that the park is closed, provided that signs are posted indicating the hours that the park is closed, except that a person may traverse a public beach park using the most direct route during park closure hours for the purpose of reaching the shoreline;
- (13) Camp at any park not designated as a campground;
- (14) Fail to comply with any sign or notice posted by the City and County of Honolulu; and
- (15) Utilize, place, occupy, leave, or in any other manner situate a shopping cart."

SECTION 3. Chapter 10, Article 1, Revised Ordinances of Honolulu 1990, as amended, is amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

"Sec. 10-1. Limited indoor advertising at certain parks.

(a) The city may allow indoor advertising at facilities located in the following parks pursuant to this section:

- (1) _____;
- (2) _____; and
- (3) _____.

(b) The department of parks and recreation may, through the department of budget and fiscal services, rent or let space for indoor advertising at facilities located within the parks enumerated in subsection (a) for an agreed upon term, provided that:

- (1) Advertising that may be visible from a public thoroughfare is prohibited;
- (2) Only commercial advertising or other advertising that proposes a commercial transaction will be allowed;



A BILL FOR AN ORDINANCE

- (3) The following types of advertising will not be accepted:
- (A) Advertising which bears the name, signature, picture or likeness of any elected official or of any candidate for federal, state, or city elective office;
 - (B) Advertising which, by reason of design, format or subject matter, promotes or appeals to racial, religious, or ethnic prejudice or violence;
 - (C) Advertising which contains pictures, words, or symbols of an obscene, lewd, lascivious or indecent character;
 - (D) Advertising which promotes any illegal, indecent, or immoral purpose; and
 - (E) Advertising of any product or service which is prohibited by law to be sold or offered for sale to minors or an age-based subgroup of minors.
- (4) No advertising shall be allowed at facilities in Kapiolani Regional Park pursuant to this section.
- (c) The terms of the rental of advertising space must include but will not be limited to:
- (1) Designation of the specific advertising space at the City park facility;
 - (2) The amount proposed to be paid for the specified space for advertising; and
 - (3) The maximum length of time that the advertisement will be permitted to be displayed.
- (d) The departments of parks and recreation and budget and fiscal services may adopt rules, in accordance with HRS Chapter 91, for the implementation, administration and enforcement of this section."

SECTION 4. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL **11 (2015), CD1**

A BILL FOR AN ORDINANCE

SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ernest Martin

DATE OF INTRODUCTION:

February 27, 2015
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu